

REMARKS

Claims 1-31 are pending in the application. Claims 1-7, 9-13, and 15-31 are rejected. Claims 8 and 14 are objected to.

In the Office Action, the Examiner rejected claims 26 and 28-31 pursuant to 35 U.S.C. §112, second paragraph, as indefinite. Claims 13, 16-21, 23, and 24 stand rejected pursuant to 35 U.S.C. §102(b) as being anticipated by Jingu et al. (U.S. Patent No. 5,129,397). Claims 1-7, 9-12, 22, and 26-31 stand rejected pursuant to 35 U.S.C. §103(a) as unpatentable over Jingu et al. Claims 15 and 25 stand rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Jingu et al. in view of Clark et al. (U.S. Patent No. 6,493,220). Claims 8 and 14 were objected to as allowable if amended into independent form.

Claims 13, 15, and 23 have been amended. Applicants respectfully request reconsideration of the claims 1-7, 9-13 and 15-31, including independent claims 1, 13, 22, 23 and 28.

On March 29, 2005, Craig Summerfield (Reg. No. 37,974) discussed the independent claims, the rejections and Jingu et al. in a telephone interview with the Examiner. During the interview, the Examiner agreed with Applicants' arguments for claims 1, 13, 22 and 23. These arguments are summarized below. The Examiner understood the arguments with respect to claim 28 and agreed to further consider claim 28.

Independent claims 1 and 22 claim a control panel connected to the stand at a position more centered than off center on the control panel. As noted by the Examiner in the Office Action, Jingu et al. do not specifically teach this limitation. As discussed during the interview, a person of ordinary skill in the art would not have used experimentation to provide a control panel connected to the stand at a position more centered than off center on the control panel. Jingu et al. desire to maximize the degree of freedom of operation (Col. 5, lines 47-55). Accordingly, the off-center connection of Jingu et al. allows for rotating the control panel away from the base or stand, such as rotating the control panel by 90 degrees to provide the control panel without any of the stand under the control panel (Col. 4, lines 9-11 and Figs. 4 and 7). The extension and rotation of Jingu et al. maximizes the degree of freedom available to the user. The stand may be positioned away from a patient bed while the control panel is positioned adjacent to the bed. Conversely, the control panel connected at a more centered location results in less freedom. The control panel is over the base, at

least in part, in any rotation except possibly a 180 degree rotation (centered connection along a back edge). Centering the connection reduces versatility. Applicants respectfully submit that a person of ordinary skill in the art would not have used a more centered connection with Jingu et al., since the more centered connection limits the degree of freedom. Degree of freedom is sought by Jingu et al.

The Examiner agreed with this argument during the interview. Thus claims 1 and 22, as well as the claims dependent there from, are allowable.

Independent claims 13 claims a top of the transducer connector being below a top of the display and being above a lowest portion of the control panel. Similarly, independent claim 23 claims connecting a transducer connector with the ultrasound system stand such that a top of the transducer connector is below a top of the display and is above a lowest portion of the control panel. Claims 13 and 23 have been amended for clarity. Upon review of this claim language and Figure 2 of Jingu et al., the Examiner agreed that the transducer connector 82 is entirely below the control panel 46. Jingu et al. do not show a top of the transducer connector above a lowest portion of the control panel. Thus independent claims 13 and 23, as well as the claims dependent there from, are allowable.

Claim 28 claims that the control panel is connected to and mounted on the stand such that the control panel, as connected to and mounted on the stand, is oriented at more than 10 degrees and less than 80 degrees to the user interface of the accessory device and to the transducer connector, the orientation relative to the operator position. The Examiner first alleged indefiniteness by reading "connected to" to be opposite in meaning than "mounted on" based on a quote from Applicants' previous response. As explained in the interview, "mounted on" has a complementary meaning to "connected to," like "mounted on" being an adverb of "connected to." A connection allows for mounted or non-mounted (rotatable) attachment. The "mounted on" of claim 28 further limits the type of connection to a "mounted" connection. "Connected to" provides for physical attachment. "Mounted on" defines the type of physical attachment as fixed or not capable of rotation. For example, a diamond is commonly described as "mounted" in a setting or ring. The mounting fixes the diamond in the setting, preventing rotation. Similarly, the control panel is mounted on the stand at a specific angle (more than 10 degrees and less than 80 degrees). The inclusion of "connected to" does not indicate also allowing rotation, but merely

emphasizes that "mounted on" has meaning more narrow than the "connected to." Thus Applicants submit that the use of "connected to" and "mounted on" is clear and definite.

The Examiner was concerned with the specification support for "mounted." "Mounted" is used in the specification at page 2, lines 3-7 and page 4, line 29-page 5, line 2. The disclosure of page 2, lines 3-7 discloses the mounting as "at a" specific angle (see claim 29). The previous paragraph (page 1, line 28-page 2, line 2) discloses that the angle of the mounting is an angle between 10 and 80 degrees.

Jingu et al. do not disclose a control panel "mounted on" the stand. Jingu et al. allow rotation that may be locked or unlocked (Col. 2, lines 20-24; and Col. 4, lines 2-17). The stand of Jingu et al. is designed for versatility (Col. 5, lines 47-55). As shown in Figures 5 and 7 of Jingu et al., the control panel may be rotated when desired or unlocked. Since rotation is possible, the control panel is not mounted on the stand. Using the diamond ring analogy, a diamond that can move within the setting is not mounted. In Jingu et al., it is possible to move the control panel relative to the stand. The control panel of Jingu et al. is not mounted to the stand.

If a person puts the system of Jingu et al. in a desired position, the person must then hope for no undesired rotation. Conversely, the mounted connection of claim 28 avoids the issue. The control panel of claim 28 is in a fixed position by being mounted to the stand. However, less versatility is provided by mounting the control panel on the stand than by permitting rotation of the control panel relative to the stand. Thus a person of ordinary skill in the art would not have mounted the control panel of Jingu et al. to the stand since Jingu et al. teach and desire versatility.

Dependent claim 29 further emphasizes the "mounted on" language by providing a specific angle of 45 degrees. This same angle in relation to the "mounted" language is provided in the specification at page 2, lines 3-7. Dependent claims 30 and 31 are allowable for the same reasons as claim 28.


CONCLUSION

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 943-7350 or Craig Summerfield at (312) 321-4726.

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